

A
DECLARATION
OR
REMONSTRANCE
OF THE
State of the Kingdome,

Agreed on
By the LORDS and COMMONS
Assembled in PARLIAMENT
the 19 of May, 1642: And Published
by Order of both Houses.

With divers depositions and Letters
thereunto annexed.

H. Elsing Cler. Parl. D. Com.

ALSO,
The Votes of both Houses of Parliament,
the twentieth of May, 1642.

With the humble Petition of the LORDS and
COMMONS In Parliament Assembled,
To the KINGS most Excellent Majesty at YORKE.

You shall finde it on the back side of the Title Page.

Printed for T. P. in Queens head-Alley, 1642.

Die Veneris, 20 Maii, 1642.

Resolved upon the Question by the Lords and Commons, &c.

1. **T**hat it appears That the King, seduced by wicked Counsell intend: to make War against the Parliament, who (in all their Consultations and Actions) have proposed no other end unto Themselves, but the care of His Kingdomes and the performance of all Duty and Loyalty to His Person. Resolved, &c.

2. That whensoever the King maketh War upon the Parliament, it is a breach of the Trust reposed in Him by His people, contrary to His Oath, and tending to the dissolution of this Government. Resolved, &c.

3. That whosoever shall Serve or Assist Him in such Wars, are Traytors by the Fundamental Laws of this Kingdom, and have been so adjudged by two Acts of Parliament, and ought to suffer as Traytors.

11 R. 2.
1 H. 4.

To the Kings most excellent Majesty.

*The humble Petition of the Lords and Commons assembled in
PARLIAMENT.*

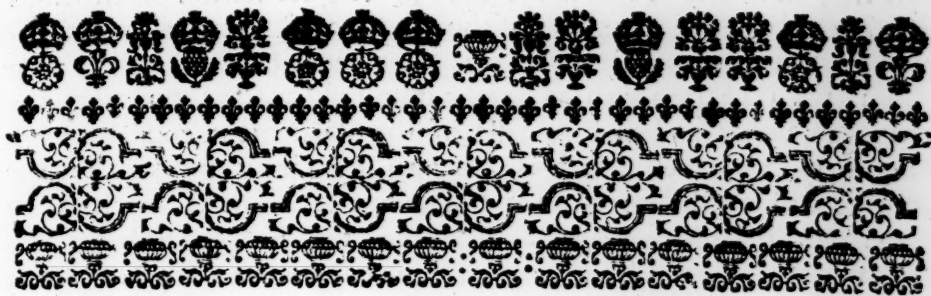
Your Majesties loyall Subjects the Lords and Commons in this Parliament, do humbly represent unto Your Majesty, That notwithstanding Your frequent professions to Your Parliament and the Kingdom, and the late expression in Your Answer of the 13 of May, of the Petition of the County of York, That Your desire and intention is only the preserving of the true Protestant Profession, the Laws of the Land, the Liberties of Your People, and the Peace of the Kingdom; Nevertheless, with great griefe, we perceive by Your Speech of the 12 of May, and the Paper printed in Your Majesties Name, in the form of a Proclamation, bearing date the 14 of May, and other evidences, That under colour of raising a Guard to secure Your Person of which Guard, considering the fidelity and care of Your Parliament, there can be no use, Your Majesty doth command Troopes both of Horse and Foot to assemble at York, the very beginning whereof, were apprehended by the Inhabitants of that County, to be an affrightment and disturbance of Your Majesties liege People as appears by their Petition presented to Your Majesty; the continuing and encrease of which Forces, is to Your Parliament, and must needs be, a just cause of great jealousie and danger to Your whole Kingdom.

Therefore we do humbly beseech Your Majesty to disband all such Forces as by Your command are assembled; and relying for Your security, as Your Predecessors have done, upon the Laws and affections of Your People, You will be pleased to desist from any further designs of this nature, contenting Your Selfe with Your usuall and ordinary Guards; Otherwise we shall hold our selves bound, in duty towards God, and the trust reposed in us by the People, and the Fundamental Laws and Constitutions of this Kingdom, to employ our care and utmost power to secure the Parliament, and to preserve the peace and quiet of the Kingdom.

Die Luna, 23 Maii, 1642.

Ordere*d by the Lords in Parliament, That these Votes and this Petition shall be forthwith printed and published.*

Io. Brown, Cleric Parl.



A REMONSTRANCE of the State of the Kingdome.

THe infinite Mercy and providence of the Almighty God hath been abundantly manifested since the beginning of this Parliament in great variety of protections and blessings, whereby he hath not only delivered us from many wicked Plots and Designes, (which if they had taken effect) would have brought ruine and destruction upon this Kingdome; but out of those attempts hath produced divers evident and remarkable Advantages to the furtherance of those services which we have been desirous to performe to our Sovereigne Lord the King, and to this Church and State, in providing for the publicke peace and prosperity of his Majesty and all his Realmes, which in the presence of the same all seeing Deity, we protest to have been and still to be, the only end of all our Counsels and endeavours, wherein we have resolved to continue freed and enlarged from all private aymes, personall respects or passions whatsoever.

In which resolution we are nothing discouraged, although the heads of the Malignant party disappointed of that prey, the Religion and liberty of this Kingdome, which they were ready to seize upon and devoure, before the beginning of this Parliament, have still persisted by new practises both of force and subtilty to recover the same again; for which purpose they have made severall attempts for the bringing up of

the Army; they afterwards projected the false accusation of the Lord *Kimbo'ton* and the five Members of the House of Commons, which being in it selfe of an odious nature, they yet so farre prevailed with His Majesty, as to procure him to take it upon him selfe; but when the unchangeable duty and faithfulnessse of the Parliament could not bee wrought upon by such a fact as that, to withdraw any part of their reverence and obedience from his Majesty, they have with much art and industry advised his Majesty to suffer divers unjust scandalls and imputations upon the Parliament to be published in his Name, whereby they might make it odious to the people, and by their helpe to destroy that which hitherto hath been the only meanes of their own preservation.

For this purpose they have drawn his Majesty into the Northerne parts farre from the Parliament, that so false Rumours might have time to get credit, and the just defences of the Parliament, find a more tedious, difficult and disadvantageous accessse, after those false imputations and slanders had been first rooted in the apprehension of his Majesty and his Subjects; which the more speedily to effect, they have caused a presse to be transported to *Torke*, from whence severall Papers and Writings of that kind are conveyed to all parts of the Kingdome, without the Authority of the great Seale, in an unusuall and illegall manner, and without the advice of his Majesties Privie Councell, from the greater and better part whereof having withdrawn him selfe as well as from his great Councell of Parliament, he is thereby exposed to the wicked and unfaithfull Counsells of such as have made the wisdom and justice of the Parliament dangerous to themselves. And this danger they labour to prevent, by hiding their own guilt under the Name and shadow of the King. infusing into him their owne feares, and as much as in them lies, aspersing his Royall Person and Honour with their own Infamy, from both which, it hath alwayes been as much the care, as it is the duty of the Parliament to preserve his Majesty, & to fix the guilt of all evill Actions and Counsells upon those who have been the Authors of them.

Amongst divers Writings of this kind Wee the Lords and Commons in Parliament have taken into our consideration two printed Papers, the first containing, A Declaration which they received from his Majesty in Answer to that which was presented to his Majesty from both Houses of Parliament, at *New-Market* the 9th. of *March*, 1641. The other his Majesties Answer to the Petition of both Houses, presented to his Majesty at *Torke*, the 26th. of *March*, 1642. Both which are
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filled with harsh Censures, and causelesse Charges upon the Parliament, concerning which we hold it necessary to give satisfaction to the Kingdom, seeing we find it very difficult to satisfie his Majesty, whom to our great grief we have found to be so engaged to, and posselt by those misapprehensions which evill Counsellors have wrought in him, that our most humble and faithfull Remonstrances have rather irritated and embittered, then any thing allayed or mitigated, the sharpe expressions which his Majesty hath been pleased to make in answer to them; for the manifestation wherof, and of our own Innocency, we desire that all his Majesties loving Subjects may take notice of these particulars.

We know no occasion given by us which might move his Majesty to tell us that in our Declaration presented at *New-Market*, there were some expressions different from the usuall language to Princes.

Neither did we tell his Majesty, either in words or in effect, that if he did not joyne with us in an Act, which his Majesty conceived might prove prejudiciall and dangerous to himself and the whole Kingdome, we would make a Law without him, and imposer it upon the people. That which we desired was, that in regard of the imminent danger of the Kingdom, the *Militia* for the security of His Majesty and his people might be put under the command of such noble and faithful Persons, as they had all cause to confide in, and such was the necessity of this prevention, that we declared that if His Majesty should refuse to joyne with us therein, the two Houses of Parliament, being the supreme Court and highest Councell of the Kingdom, were enabled by their own Authority, to provide for the repulsing of such imminent and evident danger, not by any new Law of their owne making, as hath been untruly suggested to His Majesty, but by the most ancient Law of this Kingdome, even that which is fundamentall and essentiall to the constitution and subsistence of it.

Although wee never desired to encourage His Majesty to such Replies as might produce any contestation betwixt Him and His Parliament, of which we never found better effect then losse of time, and hinderance of the publike affairs; yet we have been far from telling him of how little value His words would be with us, much lesse when they are accompanied with actions of Love and Iustice: His Majesty hath more reason to find fault with those wicked Counsellors who have so often bereaved Him of the Honour, and His people of the fruit of many gracious Speeches which he made to them, such as those in the end of the last Parliament; *That in the word of a King and as he was a Gentle-*

man he would redresse the Grievances of the People, as well out of Parliament as in it: Wee the searching the Studies and Chambers, yea the pockets of some, both of the Nobility and Commons the very next day; the Commitment of Master *Bellasis*, Sir *John Hotham*, and Master *Crew*: The continued oppressions of Ship-money, Coat and Conduct money, with the manifold imprisonments and other vexations the upon, and other ensuing violations of the Lawes and Liberties of the Kingdome (all which were the effects of evill Councell, and abundantly declared in our generall Remonstrance of the State of the Kingdome) actions of Love and Iustice futable to such words as these.

As gracious was His Majesties Speech in the beginning of this Parliament, *That He was resolved to put himselfe freely and clearly upon the Love and Affection of his English Subjects.* Whether His causelesse Complaints and Jealousies, the unjust imputations so often cast upon His Parliament, His deniall of their necessary Defence by the Ordinance of the *Militia*, His dangerous absenting himselfe from his great Councell, like to produce such a mischievous division in the Kingdome, have not been more futable to other mens evill Councils, than to His owne words, will easily appeare to any indifferent judgement.

Neither have His latter Speeches been better used and preserved by these evill and wicked Councillours. Could any words be fuller of love and Iustice then those in His Answer to the Message sent to the House of Commons 31 Decemb. 1641. *We do engage unto you solemnly the word of a King, that the security of all and every one of you from violence, is and ever shall be as much our care as the preservation of Us and our Children.* And could any actions be fuller of injustice and violence than that of the Attorney Generall, in fastly accusing the members of Parliament, and the other proceedings thereupon within three or foure dayes after that message; for the full view whereof let the Declaration made of those proceedings be perused; And by these instances (we could adde many more) let the World judge, who deserves to be taxed with disvaluing His Majesties words, they who have (as much as in them lies) stained and sullied them with such foule Counsels, or the Parliament who have ever manifested with joy and delight their humble thankfulness for those gracious words & Actions of Love and Iustice which have been conformable thereunto.

The King is pleased to disavow the having any such evill Counsel or Counsellors

Counsellors as are mentioned in our Declaration, to his knowledge, and we hold it our Duties humbly to avow there are such, or else we must say that all the ill things done of late in his Majesties Name have been done by himself, wherein we should neither follow the direction of the Law, nor the Affections of our own hearts, which is as much as may be to cleare his Majesty from all imputation of misgovernment, and to lay the fault upon his Ministers; The false accusing of six members of Parliament; The justifying M. Attorney in that false Accusation; The violent coming to the House of Commons; The denyall of the *Militia*; The sharp Messages to both Houses contrary to the Customes of former Kings; The long and remote absence of his Majesty from Parliament; The heavy and wrongfull Taxes upon both Houses; The cherishing and countenancing a discontented party in the Kingdome against them: These certainly are the fruits of very ill Counsell, apt to put the Kingdome into a combustion, to hinder the supplies of *Ireland*, and to countenance the proceedings & pretensions of the Rebels there. And the Authours of these evill Counsels, we conceive, must needs be known to his Majesty, and we hope our labouring with his Majesty to have these discovered and brought to a just Censure, will not so much wound his Honour in the opinion of his good Subjects, as his labouring to preserve and conceale them.

And whereas his Majesty saith, He could wish that his own immediate actions which he avows on his own Honour might not be so roughly censured under that common stile of evill Counsellors, we could also heartily wish that we had not cause to make that stile so common: But how often and undutifully soever these wicked Counsellors fixe their dishonour upon the King, by making his Majesty the Author of those evill Actions, which are the effects of their own evill Counsels; We his Majesties loyall and dutifull Subjects can use no other stile, According to that Maxime in the Law, *The King can do no wrong*; But if any ill be committed in matters of State, the Counsell; If in matters of Iustice, the Iudges must answer for it.

We lay no charge upon his Majesty, which should put him upon that Apology concerning his faithfull & zealous affection of the Protestant Profession; Neither doth his Majesty endeavour to cleare those in greatest Authority about him, by whom (wee say) that designe hath been potently carried on for divers yeares, and we rather wish that the Mercies of Heaven then the Iudgements may be manifested upon them; But that there have been such, there are so plentifull and frequent Evidences,

dences, that we beleeeve there is none, either Protestant or Papist, who hath had any reasonable view of the Passages of later times, but either in feare or hope did expect a sudden issue of this Designe.

We have no way transgressed against the Act of Oblivion, by remēbring the intended war against *Scotland*, as a branch of that Designe to alter Religion by those wicked Counsels, from which God did then deliver us, which we ought never to forget.

That the Rebellion in *Ireland* was framed and cherish'd by the Popish and malignant Party in *England*, is not only affirmed by the Rebels, but may be cleared by many other proofes; The same Rebellious Principles of pretended Religion; The same politique ends are apparent in both, and their malicious Designes and Practises are masqued and disguised with the same false colour of their earnest zeale to vindicate His Majesties Prerogative from the supposed Oppression of the Parliament: How much these treacherous Pretences have been countenanced by some evill Councel about His Majesty may appeare in this, that the Proclamation whereby they were declared Traitors was so long with-held, as to the second of *January*, though the Rebellion broke forth in *October* before, & then no more but 40 coppies appointed to be printed, with a special Command from his Majesty not to exceed that Number, and that none of them should be published till His Majesties pleasure were further signified, as by the Warrant appeares, a true Coppy whereof is hereunto added: So that a few onely could take notice of it, which was made more observable by the late contrary proceedings against the *Scots*, who were in a very quick and sharp manner proclaimed, and those Proclamations forthwith dispersed with as much diligence as might be through all the Kingdome, and ordered to be read in all Churches, accompanied with publique Prayers and Execrations. Another Evidence of favour and countenance to the Rebels in some of Power about his Majesty, is this, That they have put forth in his Majesties Name a causelesse Complaint against the Parliament, which speaketh the same Language of the Parliament, which the Rebels do, thereby to raise a beleefe in mens minds, that His Majesties affections are alienated, as wel as His person is removed from that His great Councell, all which doth exceedingly retard the supplies of *Ireland*, and more advance the proceedings of the Rebels, than any Iealousie or misapprehension begotten in His Subjects by the Declaration of the Rebels, Injunction of *Rosetti*, or Information of *Trestram Whitcombe*; so that considering the present state and temper of both Kingdomes

domes, his Royall Presence is farre more necessary here then it can be in *Ireland* for redemption or protection of his Subjects there.

And whether there any cause of His Majesties great indignation for being reproached to have intended force or threatening to the Parliament, we desire them to consider who shall read our Declaration, in which there is no word tending to any such reproach, and certainly we have been more tender of his Majesties Honour in this point, then hee whosoever hee was that did write this Declaration, where in his Majesties name hee doth call God to witnesse, he never had any such thought, or knew of any such resolution of bringing up the Army, which truly will seeme strange to those who shall read the deposition of *M. Goring*, Information of *M. Percy*, and divers other Examinations of *M. Wilmot*, *M. Pollard*, and others; The other Examination of Captaine *Legg*, Sir *Jacob Ashly*, Sir *Iohn Coniers*, and consider the condition and nature of the Petition which was sent unto Sir *Jacob Ashly*, under the approbation of *C. R.* which his Majesty doth now acknowledge to bee his own hand, and being full of Scandall to the Parliament might have proved dangerous to the whole Kingdome, if the Army should have interposed betwixt the King and them, as was desired:

His Majesty is not charged with intention of any force.

We do not affirme that his Majesties Warrant was granted for the Passage of *M. Jermyn* after the desire of both Houses, for restraint of his Servants, but only that he did passe over after that restraint by vertue of such a Warrant: We know the Warrant beares date the day before our desire, yet it seemes strange to those who know how great respect and power *M. Jermyn* had in Court, that hee should begin his journey in such haste, and in Apparell so unfit for travell, as a blacke Satten suite, and white Boots, if his going away were designed the day before.

M. Jermyn escapes by his Majesties warrant.

The Accusation of the Lord *Kimbolton*, and the 5. Members of the House of Commons is called a breach of Priviledge, and truly so it was a very high one, farre above any satisfaction that hath beene yet given, how can it be said to be largely satisfied, so long as his Majesty labours to preserve *M. Attorney* from punishment, who was the visible Actor in it; so long as his Majesty hath not onely justified him, but by his Letter declared that it was his duty to accuse them, and that he would have punish'd him, if he had not done it; so long as those members have not the meanes of clearing their Innocency, and the Authors of that malicious Charge undiscovered, though both Houses of Parlia-

Accusation of the Lord *Kimbolton*, &c.

ment have severall times petitioned His Majestie to discover them, and that not onely upon grounds of common justice, but by Act of Parliament His Majestie is bound to doe it; so long as the King refuseth to passe a Bill for their discharge, alleadging that the Narrative in that Bill is against his honour, whe eby hee seemes still to avow the matter of that false and scandalous accusation, though he diserts the prosecution, offering to passe a Bill for their Acquittall, yet wi h intimation that they must desert the avowing their owne Innocency, which would more wound him in Honour, then secure them in Law.

And in vindication of this great Priviledge of Parliament, we do not know that we have invaded any Priviledge belonging to his Majestie, as is alleadged in this Declaration.

But we looke not upon this onely in the notion of a Breach of Priviledge, which might bee, though the Accusation were true or false, but under the notion of a heynous crime in the Attorney and all other Subjects who had a hand in it. A crime against the Law of Nature, against the rules of Justice, that innocent men should bee charged with so great an offence as Treason in the face of the highest judicatory of the Kingdome, whereby their lives and estates, their Bload and honour are endangered without witnessse, without evidence, without all possibility of reparation in a legall course, yet a crime of such a nature that His Majesties command can no more warrant then it can any other act of injustice.

It is true that those things which are evill in their owne nature, such as a false Testimony or false Accusation, cannot bee the subject of any Command, or induce any Obligation of obedience upon any man by any authority whatsoever. Therefore the Attorney in this case was bound to refuse to execute such a Command, unlesse hee had had some such evidence or testimony, as might have warranted him against the parties, and bee lyable to make satisfaction, if it should prove false, and it is sufficiently knowne to every man and adjudged in Parliament, that the King can be neither Relator, Informer nor witnessse. If it rest as it is without further satisfaction, no future Parliament can bee safe, but that the Members may bee taken and destroyed at pleasure; yea the very principles of Government and Justice will bee in danger to bee dissolved.

We doe not conceive that Numbers doe make an Assembly unlawfull but when either the end or manner of their carriage shall bee unlawfull; Diverse just occasions might draw the Citizens to *Westminster*, where many publique and private Petitions and other Causes were depending
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in parliament, and why that should bee found more faultie in the Citizens, then the resort of great numbers every day in the terme to the ordinary Courts of Justice, we know not? That those Citizens were notoriously provoked and assaulted at Westminster by Collonell *Lunsford*, Captaine *Hide*, with divers others, and by some of the servants of the Archbishop of *Yorke*, is sufficiently proved, and that afterward they were more violently wounded, and most barbarously mangled with swords, by the Officers and Souldiers neare White-hall, many of them being without weapons, and giving no cause of distaste, as is likewise proved by severall Testimonies, but of any scandalous or seditious misdemeanours of theirs, that might give his Majestie good cause to suppose his owne person, or those of his Royall Comfort or Children to be in apparent danger, we have had no prooffe ever offered to either House, and if there had beene any complaint of that kinde, it is no doubt the Houses would have beene as forward to joyne in an order for the suppressing of such tumults, as they were not long before upon another occasion, when they made an order to that purpose; whereas those Officers and Souldiers which committed that violence upon so many of the Citizens at White-hall, were cherished and fostered in his Majesties House, and when, not long after the Common-councell of London presented a Petition to his Majestie, for reparation of those injuries, his Majesties answer was (without hearing the prooffe of the complainants) that if any citizen were wounded or ill intreated, his *Majestie* was confidently assured, that it hapned by their owne evill and corrupt Demeanours.

Wee hope it cannot be thought contrary to the dutie and wisdom of a parliament, if many concurring and frequently reiterated and renewed advertisements from *Rome*, *Venice*, *Paris*, and other parts, if the solicitations of the *Popes Nuncio* and our owne discontented fugitives doe make us jealous and watchfull for the safetie of the State; and wee have beene very carefull to make our expressions thereof so easie and so plaine to the capacities and understandings of the people, that nothing might justly stick with them with reflection upon the person of his *Majestie*; wherein we appeale to the judgement of any indifferent person who shall read and peruse our owne words.

Wee must maintaine the ground of our feares to bee of that moment that we cannot discharge the trust and dutie which lies upon us, unlesse that wee doe apply our selves to the use of our meanes to which the Law hath enabled us in cases of this nature for the necessary defence

of the Kingdome, and as His Majesty doth graciously declare the Law shall be the measure of his Power, so doe we most heartily professe that we shall alwayes make it the rule of our obediences

Prudent
omissions
in the an-
swer.

The next poynt of our Declaration was with much caution artificially passed over by him who drew His Majestyes Answer. It being indeed the foundation of our misery and His Majesties trouble, That he is pleased to heare generall Taxes upon His Parliament, without any particular charge to which they may give satisfaction, and that He hath often conceived displeasure against particular persons upon misinformation: And although those informations have beene clearly proved to be false, yet He would never bring the accusers to question, which layeth an impossibility upon honest men of cleering themselves, and gives encouragement unto false and unworthy persons, to trouble Him with untrue and groundlesse Informations. Three particulars wee mentioned in our Declaration, which the Penner of that answer had good cause to omit, The words supposed to be spoken at *Kensington*, The pretended Articles against the Queene, and the groundlesse Accusation of the sixe Members of the Parliament, there being nothing to be said in in defence or denyall of any of them.

Concerning his Majesties desire to joyne with his Parliament, and with his faith Subjects in defence of Religion, and publique good of the Kingdome, we doubt not but hee will do it full, when evill Counsellors shall be removed from about him, and untill that be, as we shewed before of words: So must we also say of Lawes, that they cannot secure us, witnesse the Petition of Wright which was followed with such an Inundation of Illegall Taxes, that we had just cause to thinke that the payment of 820000 l. was an easie burden to the Common-wealth in exchange of them, and we cannot but justly thinke that if there be a continuance of such ill Counsellors and favour to them, they will by some wicked device or other, make the Bill for the Trienniall Parliament, and those other excellent Lawes mentioned in his Majesties Declaration of lesse value than words.

That excellent Bill for the continuance of this Parliament was so necessary, that without it we could not have raised so great summes of mony, for the service of his Majesty and the Common-wealth, as we have done, and without which the ruine and destruction of the Kingdome must needs have followed. And we are resolved the gracious favour of his Majesty expressed in that Bill, and the advantage and security which thereby wee have from being dissolved, shall not encourage

courage us to doe any thing which otherwise had not beene fit to have beene done, and wee are ready to make it good before all the World, that although his Majestie hath passed many Bills very advantageous for the Subject, yet in none of them have wee bereaved His Majestie of any just, necessary, or profitable prerogative of the Crowne.

We so earnestly desire his Majesties returne to *London*, that upon it wee conceive depends the very safety and being of both His Kingdomes; and therefore we must protest, that as for the time past, neither the Government of *London*, nor any Lawes of the land have lost their life and force for his securitie; so for the future, wee shall bee ready to doe or say any thing that may stand with the dutie and honour of a Parliament, which may raise a mutuall Confidence betwixt his Majestie and us, as we doe wish and as the affaires of this Kingdome doe require.

Thus farre the Answer to that which is called his Majesties Declaration hath led us. Now wee come to that which is intituled His Majesties answer to the Petition of both Houses, presented to Him at *Torke*, 26. *Martii* 1642. In the beginning whereof his *Majestie* wisheth, *That our Priviledges on all parts were so fast that this way of Correspondency might be preserved with that Freedom which hath beene used of o d*: We know nothing introduced by us that gives any impediment hereto; neither have wee affirmed our priviledges to be broken, when his *Majestie* denies us any thing, or gives a reason why Hee cannot grant it, or that those who advised such deniall were enemies to the peace of the Kingdome, and Favourers of the Irish Rebellion, In which assertion that is turned into a generall assertion, which in our votes is applyed to a particular case: Wherefore we must maintaine our votes, that Those who advised his *Majestie* to contradict that which both houses in the Question concerning the *Militia* had declared to be Law, and command it should not so be obeyed, is a high breach of priviledge; and that those who advised his *Majestie* to absent himselfe from His parliament, are enemies to the peace of the Kingdome, and justly to be suspected to be favourers of the rebellion in *Ireland*. The reasons of both are evident; because in the first there is as great a derogation from the Trust and Authority of Parliament, and in the second as much advantage to the proceedings and hopes of the Rebels as may bee; and we hold it a very causeless imputation upon the parliament, that we have here in any way impeached:

much lesse taken away the freedome of His Majesties Votes, which doth not import a Liberty for his Majesty to deny any thing how necessary soever for the Preservation of the Kingdome, much lesse a Licence to evill Councillours to advise any thing though never so destructive to his Majestie and his People.

By the Message of the 20. of January, His Majestie did propound to both Houses of Parliament, *That they would with all speed fall into a serious Consideration of all those Particulars, which they should hold necessary as well for the upholding and maintaining His Majesties Just and Regall Authority, and for the settling His Revenue, as for the present and future establishing our Priviledges, the free and quiet enjoying our Estates, the Liberties of our Persons, the Security of the true Religion, professed in the Church of England, and the settling of Ceremonies in such a manner as may take away all just offence, and to digest it into one intire Body.*

To that point of upholding and maintaining His Royall Authority, wee say nothing hath beene done to the prejudice of it, that should require any new provision. To the other of settling the Revenue, the Parliament hath no way abridged or disordered His just Revenue; but it is true that much wast and confusion of His Majesties Estate hath beene made by those evill and unfaithfull Ministers, whom hee hath imployed in the managing of it, whereby His owne ordinary Expences would have beene disappointed, and the Safety of the Kingdome more endangered, if the Parliament had not in some measure provided for His Household, and for some of the Forts more than they were bound to doe; and they are still willing to settle such a Revenue upon His Majestie, as may make him live Royally, plentifully and safely, but they cannot in Wisedome and Fidelity to the Common Wealth doe this, till he shall chuse such Councillors and Officers as may order and dispose it to the publike good, and not apply it to the ruine and destruction of His People; as heretofore it hath beene; but this and the other matters concerning our selves, being Workes of great Importance and full of Intricacie will require so long a time of Deliberation, that the Kingdome might be ruined before we should effect them: Wherefore we thought it necessary first to bee Sutors to His Majestie, so to order the *Militia*, that the Kingdome being secured, wee might with more ease and safetie apply our selves to debate of that Message, wherein we have bin interrupted by His Majesties Denyall of the Ordinance concerning the same; because it would have been in vaine for us to labour in other things
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and in the meane time to leave our selves naked to the malice of so many Enemies, both at home and abroad ; yet we have not beene altogether negligent of those things which his *Majestie* is pleased to expound ie that message, we have agreed upon a booke of Rates in a larger proportion than hath beene granted to any of his *Majesties* Predecessors, which is a considerable support of His majesties publike charge, and have likewise prepared divers propositions and bills for preservation of our Religion and Liberties, which we intended shortly to present to His majestie, and to doe whatsoever is fit for us to make up this unpleasant breach betwixt His majestie and the Parliament.

Whereas divers exceptions are here taken concerning the *militia*: First that *His Majestie never denied the thing, but excepted the persons, except for Corporations only, that he denied the way.*

To which we answer, That that Exception takes off London, and all other great Townes and Cities, which makes a great part of the kingdom. And for the way of ordinance, it is ancient, more speedy, more easily alterable, and in all these and other respects more proper and more applyable to the present occasion than a bill, which his majestie calls the only good old way of imposing upon the Subjects. It should seeme that neither His majesties Royall predecessors nor our Ancestours have heretofore beene of that opinion, for 37. Ed. 3. we find this Record, *The Chancellour made Declaration of the Challenge of Parliament, the King desires to know the grieffe of His Subjects, and to redresse Enormities, the last day of the Parliament, the King demanded of the whole Estates, whether they would have such things as they agreed on by way of Ordinance or Statute, who answered by way of Ordinance, for that they might amend the same at their pleasures, and so it was.*

But His Majestie objects further, *That there is somewhat in the Preface to which Hee could not consent with Justice to His Honour and Innocency, and that thereby Hee is excluded from any Power in the disposing of it.*

These objections may seeme somewhat, but indeed will appeare nothing when it shall be considered that nothing in the Preamble layes any Charge upon His Majestie nor in the body of that Ordinance, that excludes His Royall Authoritie in the disposing or execution of it. But onely tis provided that it should be signified by both Houses of Parliament, as that Channell through which it will be best derived, and most certainly to those ends for which it is intended, and let all the world judge, whether wee have not reason to insist upon it, that the strength
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of the Kingdome should rather be ordered according to the direction and Advice of the great Councell of the Land, equality intruded by the King and by the Kingdome then that the Safetie of the KING Parliament and Kingdome should be left at the devotion of a few unknowne Councillours, many of them not intrusted at all by the King in any publike way, nor at all confided in by the Kingdome.

Wee with the danger were not imminent, or not still continuing, but cannot conceive that the long time spent in this debate is evidence sufficient, that there was no such necessity or danger but a Bill might easily have been prepared. For when many causes do concur to the danger of a State, the Interruption of any one may hinder the execution of the rest, and yet the designe be still kept a foot for better opportunities. Who knowes whether the ill Successes of the Rebels in *Ireland* have not kindred the Insurrection of the Papists here? Whether the preservation of the six members of the Parliament, falsely accused, have not prevented that plot of the breaking the necke of the Parliament, o which wee were informed from *France* not long before they were accused. Yet since His Majestie hath been pleased to expresse His pleasure, rather for a Bill then an Ordinance, and sent in one for that purpose, we readily entertained it, and with some small and necessary Alterations speedily passed the same. But contrary to the custome of Parliament and our Expectation grounded upon His Majesties own Invitation of us to that way, and the other reasons manifested in our declaration concerning the *Militia* of the fifth of *May*, instead of His Royall Assent we met with an absolute Refusal.

If the matter of these our Votes 15. and 16. of *March* be according to Law, wee hope His Majestie will allow the Subjects to bee bound by them; because he hath said, *He will make the Law the Rule of his Power*. And if the Question bee, Whither that bee Law which the Lords and Commons have once declared to be so, Who shall be the Judge? Not His Majesty; for the King judgeth not of matters of Law, but by His Courts; and His Courts, though sitting by His Authority, expect not His Assent in matters of Law. Not any other Courts, for they cannot judge in that Case, because they are Inferiour; no Appeals lying from Parliament, the judgement whereof is in the eye of the Law, the Kings Judgment in His highest Court, though the King in His Person be neither Present nor Assenting thereunto.

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The *Votes* at which His Majestie takes Exceptions are these.

1. **T**hat the Kings absence so farre remote from his Parliament is not onely an Obstruction, but may be a Destruction to the affaires of Ireland.
2. That When the Lords and Commons shall declare what the Law of the Land is, to have this not onely questioned and controverted, but contradicted, and a command that it should not bee obeyed, is a high Breach of the Priviledge of Parliament.
3. That those Persons that advised his Majestie to absent himselfe from the Parliament, are enemies to the peace of the Kingdome, and justly to be suspected to be Favorers of the Rebellion in Ireland.

That the Kingdome hath beene of late, and still is in evident and imminent danger, both from Enemies abroad, and a Popish and discontented party at home, that there is an urgent and inevitable necessity of putting his Majestie Subjects into a Posture of Defence, for the safeguard both of his Majestie and his People.

That the Lords and Commons fully apprehending this Danger, and being sensible of their owne duty, to provide a sutable Prevention, have in severall Petitions addressed themselves to His Majestie for the Ordering and disposing of the Militia of the Kingdom, in such a way as was agreed upon by the Wisdome of both Houses to be most effectuell and proper for the present Exigents of the Kingdome, yet could not obtaine it, but his Majesty did severall times refuse to give his Royall assent thereunto.

That in this case of extreame danger, and His Majesties Refusall the Ordinance of Parliament, agreed upon by both Houses for the Militia, doth oblige the People, and ought to bee obeyed by the fundamentall Lawes of this Kingdome.

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BY all which, it doth appeare, that there is no colour of this Taxe, that we go about to introduce a new Law, much lesse to exercise an Arbitrary Power, but indeed to prevent it: For this Law is as old as the Kingdom, That the Kingdom must not be without a meanes to preserve it selfe: Which that it may be done without Confusion, this Nation hath intrusted certain hands with a Power to provide in an Orderly and Regular way for the good and safety of the whole, which Power by the Constitution of this Kingdom is in His Majesty and His Parliament together; yet since the Prince being but One Person, is more subject to Accidents of Nature and Chance, whereby the Common-wealth may be deprived of the Fruit of that Trust which was in part reposed in Him in Cases of such Necessity; That the Kingdome may not be enforced presently to returne to it's first Principles, and every man left to do what is right in his own eyes, without either guide or Rule: The Wisdom of this State hath intrusted the Houses of Parliament with a Power to supply what shall be wanting on the part of the Prince, as is evident by the constant Custome and Practise thereof in Cases of Non-age, naturall Disability and Captivity, and the like Reason doth and must hold for the exercise of the same Power in such Cases, where the Royal Trust cannot be or is not discharged, and that the Kingdom runs an evident and imminent Danger thereby, which Danger having been declared by the Lords and Commons in Parliament, there needs not the Authority of any Person or Court to affirme; Nor is it in the Power of any Person or Court to revoke that Iudgement.

We know the King hath wayes enough in His Ordinary Courts of Justice to punish such seditious Pamphlets & Sermons as are any way prejudiciall to His Rights, Honor and Authority: And if any of them have been so insolently violated & vilified, His Majesty's own Counsell and Officers have been to blame, & not the Parliament: We never did restrain any Proceedings of that kind in other Courts, nor refuse any fit Complaint to us. *The Protestation protested*, was referred by the Commons House to a Committee, and the Authour being not produced, the Printer committed to Prison, and the Booke voted by that Committee to bee burnt: but Sir *Edward Deering* who was to make that Report of the Votes of that Committee neglected to make it. *The Apprentizes Protestation* was never complained of; but the other seditious Pamphlet, *To your Texts, O Israel*, was once questioned, and the

the full Prosecution of it was not interrupted by any fault of either House, whose forwardnesse to do his Majesty all Right therein, may plainly appeare in that a Committee of Lords and Commons purposely appointed to take such Informations as the Kings Counsell should present concerning seditious Words, Practises or Tumults, Pamphlets or Sermons, tending to the Derogation of his Majesties Rights or Prerogative, and his Majesties Counsell were injoynd by that Committee to enquire and present them, who severall times met thereupon, and received this Answer and Declaration from the Kings Counsell, that they knew of no such thing as yet.

If his Majesty had used the Service of such a one in penning this Answer, who understood the Lawes and Government of this Kingdome, He would not have thought it legally in his Power to deny his Parliament a Guard when they stood in need of it, since every ordinary Court hath it; Neither would his Majesty if he had been well inform'd of the Lawes, have refused such a Guard as they desired, it being in the Power of Inferiour Courts to command their owne Guard; Neither would he have imposed upon them such a Guard under a Commander which they could not confide in, which is clearly against the Priviledge of Parliament, and of which they found very dangerous Effects, and therefore desired to have it discharged: But such a Guard; and so commanded, as the Houses of Parliament desired, they could never obtaine of his Majesty, and the placing of a Guard about them, contrary to their desire, was not to grant a Guard to them, but in Effect to set one upon them.

All which considered, we beleeve in the Iudgement of any indifferent Persons it will not be thought strange, if there were a more than ordinary resort of People at *Westminster*, of such as came willingly of their owne accord to be Witnesses and Helpers of the safety of them, whom all his Majesties good Subjects are bound to defend from Violence and Danger: Or that such a Concourse as this, they carrying themselves quietly and peaceably (as they did) ought in his Majesties Apprehension, or can in the Interpretation of the Law be held Tumultuary and Seditious.

When his Majesty in that Question of Violation of the Lawes had expressed the observation of them indefinitely without any limitation of time, although wee never said or thought any thing that might looke like a Reproach to his Majesty, yet we had reason to remember that it had been otherwise, lest we should seeme to desert our former

Complaints and proceedings thereupon, as his Majestie doth seeme but little to like or approve of them: For although hee doe acknowledge here that great mischief that grew by that Arbitrarie power then complained of; Yet such are continually preferred and countenanced, as were Friends or Favourers, or related unto the chiefe Authors and Actors of that Arbitrary power, and of those false colours Suggestion of imminent Danger and necessity, whereby they did make it plausible unto his Majestie; And on the other side, such as did appear against them are daily discountenanced and disgraced; Which, whilst it shall be so, we have no reason to judge the Disease to bee yet killed and dead at root, and therefore no reason to burie it in oblivion: And whilst we behold the Spawnes of these mischievous Principles cherished and fostered in the new Generation of Councillors, Friends and Abettors of the former, or at least concurring with them in their malignancy against the proceedings of this Parliament, we cannot thinke our selves secure from the like or worse Danger.

And here the Penner of this Answer bestowes an Admonition upon the Parliament, bidding us take heed we fall not upon the same errour, upon the same Suggestions: But he might have well spared this till hee could have shewed wherein we had exercised any power otherwise than by the rule of the Law, or could have found a more authentique or higher Judge in matter of Law than the high Court of Parliament.

It is declared in his Majesties Name, That he is resolved to keep the Rule himselfe, and to his power to require the same of all others. Wee must needs acknowledge that such a resolution is like to bring much Happiness and blessing to his Majestie and all his Kingdomes: Yet with humilitie wee must confesse, we have not the fruit of it in that case of my Lord Kimbolton, and the other five members accused contrary to Law, both Common Law, and the Statute Law, and yet remaineth unsatisfied: Which case was remembred in our Declaration, as a strange and unheard of violation of our Lawes: But the Penner of this Answer thought it fit to passe it over, hoping that many would read his Majesties Answer which hath beene so carefully dispersed, which would not read our Declaration.

Whereas, after our ample thanks and acknowledgement of his Majesties favour in passing many good Bills, *We said that Truth and Necessity inforced us to adde this, That in or about the time of passing those Bills, some Designe or other hath beene a foot, which if it had taken effect, would not only have deprived us of the fruit of those Bills,*
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but would have reduced us to a worse condition of confusion, than that wherein the Parliament found us, it is now told us that the King must be most sensible of what we cast upon Him for requitall of those good Bills, Whereas out of our usuall tenderesse of his Majesties Honour, we did not mention him at all; but so injurious are those wicked Councellours to the name and honour of their Master and Sovereigne, that as much as they can they lay their owne infamy and guilt upon his Shoulders.

Here God also is called to witnesse His Majesties upright intentions at the passing those Lawes, this we will not question, neither did we give any occasion of such a solemn Asseveration as this is. *The Devil* is likewise defined to prove there was any designe with his Majesties knowledge or privity; This might well have bin spared, for we spake nothing of His Majestie, but since we are so farre taxed as to have it affirmed, That we laid a notorious and false imputation upon His Maestie, wee have thought it necessary for the just Defence of our own Innocency, to cause the oaths and examinations which have been taken concerning the designe to be published in a full narration for satisfaction of all His Majesties subjects, out of which we shall now offer some few particulars, whereby the world may judge whether we could have proceeded with more tenderesse towards His Majestie, then we have done.

M. Goring confesseth that the King first asked him, whether he were engaged in any Cabal concerning the army, and commanded him to joyn with *M. Percy*, and *M. Jermin* and some other whom they should find within at *M. Percies* chamber, where they took the Oath of Secrecy, and then debated of a design propounded by *M. Jermin*, to secure the Tower, and to consider of bringing up the army to London, and *Cap. Legg* confessed he had received the draught of a Petition in the Kings presence, and his Majestie acknowledged it was from his owne hand, and whosoever reads the sum of that Petition, as it was proved by the Testimony of *S. Ia. Aspley*, *S. John Conyers*, and *Cap. Legg*, will easily perceive some points in it, apt to beget in them some discontent against the Parliament. And can any man believe there was no designe in the accusation of the *L. Kimbolton* and the rest, in which his Majestie doth avow himselfe to be both Commander and an Actor; these things being so, it will easily appeare to be as much against the Rules of Prudence that the Penner of this answer should intangle his Majestie in this unnecessary Apologie, as it is against the Rules of Justice, that any repARATION from us should be either yeilded or demanded.

It is profest in his Majesties Name, that he is truly sensible of the burdens of his people, which makes us hope that hee will take that course which will be most effectuall to ease them of these burdens, that is, to joyne with his Parliament in preserving the peace of the Kingdome, which by his absence from them hath bin much indangered, and which by hindering the voluntary adventures for recovery of *Ireland*, and disabling the Subjects to discharge the great tax laid upon them is like to make the warre much more heavie to the Kingdome. And for his Majesties wants, the Parliament have been no cause of them, we have not diminished his just Revenue, but have much

eased His publike charge and somewhat his private, and we shall be ready in a Parliamentary way to settle his Revenue in such an honourable proportion, as may bee answerable to both, when he shall put Himselfe into such a posture of government that His Subjects may be secure to enjoy His just protection for their Religion, Lawes and Liberties.

We never refused his Majesties gracious offer of a free and generall Pardon, only we said it could be no security to our present feares and jealousies, and we gave a reason for it, that those feares did not arise out of any guilt of our own Actions, but out of the evill Designes and Attempts of others, we leave it to the world to judge, whether we herein have deserved so heavie a tax and exclamation (*that it was a strange world when Princes proffered favours, are counted reproaches*, such are the words of his Majesties Answer) who do esteem that offer as an act of Princely Grace and bounty, which since this Parliament began we have humbly desired we might obtaine, and do stil hold it very necessary and advantagious for the generality of the Subject upon whom these taxes and Subsidies lie heaviest; but we see upon every occasion how unhappie we are in His Majesties misapprehensions of our words and actions.

Wee are fully of the Kings mind, as it is here declared, that he may rest so secure of the Affections of his Subjects, that he should not stand in need of forreigne force to preserve him from Oppression, and are confident that he shall never want an abundant evidence of the good wilhes and assistance of his whole kingdome, especially if hee shall bee pleased to hold to that gracious resolution of building upon that sure foundation, *The Law of the Land*; but why His Majestie should take it ill, that wee have received Informations so deeply concerning the safety of the Kingdome, and should thinke them fit to bee considered of, wee cannot conceive; for although the Name of the person was unknowne, yet that which was more substantiall to the probability of the Report was knowne (that is) that he was a Servant to the *L. Digby*, who in his presumptuous Letter to the Queens Majesty, and other Letters to Sir *Lewis Dives* had intimated some wicked Proposition sutable to that Information but that this should require reparation, we hold it as far from justice as it is from truth, that we have mixt any malice with these rumours, thereby to feed the fears and jealousies of the people.

It is affirmed his Majestie is *driven* (but not by us, yet) *from us*, perchance hereafter if there be opportunity of gaining more credit, there will not be wanting who will suggest unto his Majestie that it is done by us. And if His majestie were driven from us, we hope it was not by his owne feares, but by the feares of the *L. Digby*, and his Retinue of Cavaleers, and that no feares of any tumultuary Violence, but of their just punishment for their manifold insolence and intended violence against the Parliament, and this is expressed by the *L. Digby*. himself, when he told those Cavaleers that the principall cause of His Majesties going out of town was to save them from being trampled in the dirt, but of His Majesties person there was no cause of feare
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in the greatest heate of the Peoples Indignation after the accusation, and his Majesties violent coming to the House there was no shew of any evill intention against his Regall Person, of which there can be no better Evidence then this, that he came the next day without a guard into the City, where he heard nothing but Prayers and Petitions, no threatnings or irreverent Speeches that might give him any just occasion of feare that we have heard of, or that his majestie exprest; for he stayed near a week after at *White-hall*, in a secure a peaceable Condition, whereby we are induced to beleieve that there is no Difficulty nor doubt at all but his majesties Residence neare *London* may be as safe as in any part of the Kingdome.

We are most assured of the faithfullnesse of the City and Suburbs, and for our selves we shall quicken the Vigour of the Lanes, the Industry of the Magistrate, the Authority of Parliament for the suppressing of all tumultuary insolencies whatsoever, & for the vindicating of his Honour from all insupportable and insolent scandals, if any such shall be found to be raised upon him, as are mentioned in this Answer, and therefore we thinke it altogether unnecessary and exceeding inconvenient to adjourne the Parliament to any other place.

Where the desire of a good understanding betwixt the King and the Parliament is on both parts so earnest, as is here profest of His Majestie to be in him, and wee have sufficiently testified to be in our selves, it seemes strange we should be so long asunder, it can be no thing else but evill and malicious Counsell, misrepresenting our carriage to Him, and indisposing His favour to us; And as it shall be far from us to take any advantage of his Majesties supposed Straights, as to desire, much lesse to compell Him to that which His Honour or Interest may render unpleasant and grievous to Him: So we hope that His Majestie will not make his owne understanding or reason the Rule of His Government, but will suffer himselfe to be assisted with a wise and prudent Counsell, that may deale faithfully betwixt Him and His People; and that He will remember that His Resolutions doe concerne a Kingdome, and therefore ought not to be moulded by his Own, much lesse by any other private Reason, which is not a Light proportionable to so great a Trust; and therefore wee still desire and hope that His Majestie will not be guided by His owne understanding, or to thinke those Courses, straights and necessities to which he shall be advised by the wisdom of both Houses of Parliament, which are the eyes in this Politick Body, whereby his Majesty is by the Constitution of this Kingdome to discern the differences of those things which concern the Publique Peace & safety thereof.

We have given His Majestie no Cause to say that we doe meanly value the discharge of his Publique Duty, whatsoever Acts of Grace or Justice have been done, they proceeded from His Majesty by the advice and counsell of His Parliament; Yet we have, and shall allwayes answer them with Constant Gratitude, Obedience and Affection: And although many things have bin done since this Parliament of another Nature, yet we shall not cease to desire the continued Protection of Almighty God upon His Majesty, and most humbly petition him to cast from him all those evill and contrary Counsels which have in many particulars formerly mentioned, much detracted from the Honour of His Government, the Happinesse of his owne Estate, and Prosperity of His People.

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And having past so many dangers from abroad; so many conspiracies at home, and brought on the publike worke so far through the greatest difficulties that ever stood in opposition to a Parliament, to such a degree of successe, that nothing seemes to be left in our way able to hinder the full accomplishment of our desire and indeavour for the publike good, unlesse God in his Iustice doe send such a grievous curse upon us, as to turne the strength of the Kingdome against it selfe, and to effect that by their owne folly and credulity, which the power and subtilty of their and our enemies could not attaine, that is, to divide the people from the Parliament, and to make them serviceable to the ends and aims of those who would destroy them: Therefore we desire the Kingdome to take notice of this last most desperate and mischievous plot of the malignant party that is acted and prosecuted in many parts of the Kingdome under plausible Notions of stirring them up to a care of preserving the Kings Prerogative, maintaining the discipline of the Church, upholding and continuing the Reverence and Solemnity of Gods service, encouraging of learning: And upon these grounds divers mutinous petitions have been framed in London, Kent and other Countes, and sundry of his Majesties Subjects have beene solicited to declare themselves for the King against the Parliament, and many false and foule aspersions, have been cast upon our proceedings, as if we had been not only negligent, but averse in these Points, Whereas we desire nothing more than to maintain the purity and power of Religion, and to honor the King in all his iust prerogatives; And for encouragement and advancement of Piety and Learning, we have very earnestly endeavoured, and still doe to the utermost of our power, that all parishes may have learned, pious, & sufficient Preachers, & all such preachers competent livings, Other bills and propositions are in preparation for the Kings profit and Honour, the peoples safety & prosperity: In the proceedings whereof, we are much hindred by his Majesties absence from the parliament, which is altogether contrary to the use of his Predecessors, & the priviledges of Parliament, whereby our time is consumed by a multitude of unnecessary Messages, & our innocency wounded by causelesse & sharpe invectives; yet we doubt not but we shall overcome all this at last, if the people suffer not themselves to be deluded with false and specious shewes, and so draw ne to betray us to their owne undoing, who have ever bin willing to hazard the undoing of our selves, that they might not be betrayed by our neglect of the trust reposed in us, but if it were possible they should prevail herein; yet we would not faile through Gods Grace still to persist in our duties, & to look beyond our own lives, estates and advantages; as those who thinke nothing worth the enioying, without the Liberty, Peace, & safety of the Kingdome; Nor any thing too good to be hazarded in discharge of our Consciences for the obtaining of it; And shall alwayes repose our selves upon the protection of Almighty God, which we are confident shal never be wanting to us (while we seek his Glory) as we have found it hitherto wonderfully going along with us in all our proceedings,

IT is his Majesties pleasure that you forth with print in very good paper, and send unto me for his Majesties service forty Copies of the Proclamation inclosed, leaving a convenient space for his Majestie to signe above, and to fix the Privy Signet underneath and his Majesties expresse command is, that you print not above 40. Copies, and forbear to make any publication of them till his pleasure be further signified, for which this shall be your Warrant.

For His Majesties Printer.

White-Hall, January 2. 1641.

Edw. Nicholas

The Examination of Colonell Go- ring, taken June 19. 1641.

To the first Int. **H**E saith, That in *Lent* last (as he remembers) about the middle of it, Sir *John Suckling* came to him on *Sunday* morning as he was in his bed: And this Examinee conceiving he had come to him about some businesse of money that was between them; and thereupon falling upon that discourse, Sir *John Suckling* told him he was then come about another businesse; which was to acquaint him, That there was a purpose of bringing the Army to *London*; And that my Lord of *New-castle* was to be Generall, and he, this Examinee, Lieutenant Generall, if he would accept of it: And further said, That he should heare more of this businesse at Court: to which this Examinee answered only this, well; then I will goe to the Court; which was all that passed betweene them at that time, to the best of this Examinees remembrance.

To the second, he cannot depose.

To the third, he saith, That as he was comming in his Coach in the street, out of the *Covent-Garden* in *S. Martins Lane*, he met here *M. Henry Iermyn*, who was likewise in a Coach; and seeing this Examinee, sent his Foot-man to him, desiring him to follow him, because he would speake with him; which this Examinee did; And *M. Iermyn* going a little further, alighted, and went into a house (to which house, as this Examinee was but yesterday informed, Sir *John Suckling* did then usually resort) and thither this Examinee followed him; and coming after him to the top of the *Stayres*, *M. Iermyn* said to him, He had somewhat to say to him concerning the Army, but that this was no fit place to speak of it, and desired him to meet him that evening at the Court, on the *Queenes* side; which this Examinee accordingly did; and meeting *M. Iermyn* in the *Queens* drawing Chamber, he was there told by him, That the *Queene* would speak with him, and thereupon *M. Iermyn* brought him into the *Queens* Bed-chamber: But before this Examinee could enter into any discourse with the *Queen*, the *King* came in, and then this Examinee did withdraw, and went away.

away for that time, but returned againe the same night, and met *M. Iermyn* againe on the Queens side, who told him that he must necessarily meet with some Officers of the Army, to heare some Propositions concerning the Army. The next day, being *Monday*, his Examinee came againe to the Court in the after-noon, and went into the Queens drawing Chamber, where her Majestie then was, who was pleased to tell him that the King would speake with him, and bad him to repair to the roome within the Gallery, into which Room the King soon after came; and His Majestie asked him if he was engaged in any Cabale concerning the Army: to whiche he answered, That he was not: whereupon His Maieستie replied, I command you then to ioyne your selfe with *Peircy*, and some others whom you will finde with him. And His Majestie likewise said, I have a desire to put my Army into a good posture, and am advised unto it by my Lord of *Brisfoll*: which was the effect of what passed betweene the King and this Examinee at that time. This Examinee meeting afterwards with *M. Ierny*, *M. Iermyn* told him that they were to meet that evening at nine of the Clock with *M. Peircie*, and some others, at *M. Peircies* Chamber; and accordingly *M. Iermyn* and he went thither together, and there found *M. Peircie* himselfe, *M. Willmot*, *M. Asburnham*, *M. Pollard*, *M. Oneal*, & Sir *Iohn Bartley*; *M. Peircy* then in the first place tendered an Oath to this Examinee and *M. Iermyn*, the rest saying they had taken that Oath already: this Oath was prepared in writing, and was to this effect, *That they should neither directly nor indirectly disclose any thing of that which should be then said unto the, nor think themselves absolved from the secrecy enjoyned by this Oath, by any other Oath which should be afterwards taken by them.* They having taken the Oath, *M. Peircy* declared, That they were resolved not to admit of any body else into their Councells: And *M. Iermyn* and this Examinee moved that Sir *Iohn Suckling* might be received amongst them; which being opposed by the rest, after some debate, it was laid aside: And some speech there was of Sir *Iohn Suckling* his being imployed in the Army; but how it was agreed upon, this Examinee doth not remember.

After this, *M. Peircie* made his Propositions, which he read out of a paper, which were to this effect, That the Army should presently be put into a posture to serve the King, and then should send up a Declaration to the Parliament, of these particulars, viz. That
nothing

nothing should be done in Parliament contrary to any former Act of Parliament, which was explained, That Bishops should bee maintained in their Votes and Functions, and the Kings Revenue be established. From these Propositions none of M. *Perceys* Company did declare themselves to assent. Then came into consideration, if the Army should not immediately bee brought to *London*, which as this examine remembers, was first propounded by Master *Iermyn*, and also the making sure of the Tower. These things this Examine did urge, to shew the vanity and danger of the other Propositions, without undertaking this. In the conclusion, this examine did protest against his having any thing to doe either designe; for the proove of which, he appeals to the consciences of them that were present, and so parted with them. About this businesse this Examine saith, That they had two meetings, and cannot distinguish what passed at the one, and what at the other, but the result of all was as he formerly declared: further then which, he cannot depose.

To the Fourth Inter.

He can say no more than he hath already said.

To the Fifth Inter.

He saith, That the very day that Sir *John Suckling* first moved th's unto him, he gave some touch of it to my Lord *Dungarvan*: and the day after his second meeting at Master *Pierces* Chamber, he discovered it to my Lord of *New-port*, and desired him to bring him to some other Lords, such as might bee likeliest to prevent all mischief: And accordingly the next day my Lord of *New-port* brought him to my Lord of *Bedford*, my Lord *Say*, and my Lord *Mandevill*, to whom he imparted the maine of the businesse, but not the particulars, in regard of his Oath; and desired them to make use of it as they should see cause, for the safety of the Commonwealth, but not to produce him, nor name any person, except there were a necessity for it. Hee further saith, That hee did at the same time make a Protestation unto those Lords, of his fidelity unto the Commonwealth, and of his readinesse to run all hazards.

George Goring.

Master

Mr Percies letter written to the Earle of Northumberland, June 14. 1641.

WHat with my own innocency and the violence I heare is against me, I find my selfe much distracted, I will not ask your Conncell, because it may bring prejudice upon you; but I will with all faithfulness and truth tell you what my part hath beene, that at least I may be cleared by you whatsoever becomes of me.

When there was 50000 pound designed by the Parliament for the English Army, there was as I take it a suddaine demand made by the Scots at the same time of 25000 pound, of which there was but 15000. pound ready, this they pressed with so much necessitie as the Parliament after an order made, did thinke it fit to deduct 10000. pound out of the fittie formerly granted, upon which the souldiers in our house were more scandalized, amongst which I was one, and sitting by Wilmot and Ashburnham, Wilmot stood up and told them, if such papers as that of the Scots would procure moneyes, he doubted not but the officers of the English Army might easily doe the like, for the first order was reversed notwithstanding, and the 10000. pound given to the Scots, this was the cause of many discourses of dislike amongst us, and came to this purpose, that they were disobliged by the Parliament, and not by the King, this being said often one to another, we did resolve, that is Wilmott, Ashburnham, Pollard, Oneale, and my selfe to make some expression, of serving the King in all things he would command us, that were honourable for him and us, being likewise agreeable to the fundamentall lawes of the kingdome, that so farre we should live and dye with him. This was agreed upon by us, not having any communication with others, that I am coupled now withall; and further, by their joynt consent was to tell his Majestie thus much from them; but withall I was to order the matter so, as that the King might apprehend this as a great service done unto him, as this time when his affaires were in so ill a condition, and they were most confident that they could engage the whole army thus far, but farther they would undertake nothing, because they would neither infringe the liberties of the subject, or destroy the Lawes, to which I and every one consented, and having their sence, I drew the heads up in a paper, to which they all approved when I read it, and then we did by an oath promise one another to be constant and secret in all this, and did all of us take that oath together. Well Sirs, I must now be informed what your particular desires are, that so I may be the better able to serve you, which they were pleased to doe, and I did very faithfully serve them therein, as far as I could: this is the truth and all the truth upon my soule. In particular discourses after that, we did fall upon the petitioning the King and Parliament for money, there being so great arreares due to us, and so much delayes made in the procuring of them, but that was never done.

The preserving of Bishops functions and votes.

The not disbanding of the Irish army, untill the Scots were disbanded too.

The endeavouring to settle his revenue to that proportion it was formerly, and it was resolved by us all, if the King should require our assistance in these things, that as farre as we could, wee might contribute thereunto without breaking the lawes of the Kingdome, and in case the King should deny these things being put to them, we would not fly from him.

All these persons did act and concur in this as well as I. This being all imparted to the King by me from them, I perceived hee had beene treated with by others concerning something of our army, which did not agree with what we proposed, but inclined a way more high and sharpe, not having limits either of honour or law, I told the King he might be pleased to consider with himselfe, which way it was fit for him to hearken unto. For us, wee were resolved not to depart from our grounds, and if he imployed others, we should not be displeased whosoever they were: but the particulars of their designe, or the persons, we desired not to know. though it was no hard matter to guesse at them; in the end I believe the dangers of the one, and the justice of the other, made the King tell me he would leave all thoughts of our propositions but ours, as things not practicable, and desired notwithstanding that Goring and Iermin, who were acquainted with the other proceedings, should be admitted amongst us; I told him, I thought the other Gentlemen would never consent to it, but I would propose it; which I did, and we were all much against it; but the King did presse it so much, as at the last, it was consented unto, and Goring and Iermin came to my Chamber, there I was appointed to tell them, after they had sworne to secrecy, what wee had proposed which I did: but before I goe on to the debate of the wayes, I must tell you M. Iermin and Goring were very earnest Suckling should be admitted, which wee did all decline; and I was desired by all our men to be resolute in it, which I was, and gave many reasons; whereupon I remember M. Goring made answer, he was so ingaged with Suckling, hee could not goe or doe any thing without him. Yet in the end, so that we would not oppose Suckling his being imployed in the army, that for his meeting with us they were contented to passe it by. Then we tooke up againe, the wayes were proposed, which took a great debate, and theirs (I will say) differed from ours in violence, and height, which we all protested against and parted, disagreeing totally; yet remitting it to be spoken of by me, and Iermin, to the King, which we both did. And the King constant to his former resolution told him, that all those wayes were vaine and foolish, and would thinke of them no more. I omitted one thing of M. Goring, he desired to know how the chiefe Commanders were to be disposed of, for if he had not a condition worthy of him hee would not goe along with us, we made answer that no bodie had thought of that, we intending if we were sent downe, to goe all in the same capacitie we were in, we were in, he did not like that by no meanes, and upon that did worke so by M. Chidley had his, that there was a letter sent by some of the Commanders to make him Lievtenant Generall: And when he had ordered this matter at

London and M. Chidley had his instructions, then did he goe to Portsmouth pretending to be absent when this was a working : we all desired my Lord of Essex or my Lord of Holland, and they (if there were a Generall,) Newcastle, they were pleased to give out a report I should be Generall of the horse; but I protest neither to the King or any else did I ever so much as thinke of it: My Lord of Holland was made Generall and so all things were laid aside : and this is the truth, and all the truth I know of all these proceedings; and this I doe and will protest upon my faith; and Wilmote Ashburnham, and O-neale, have at severall times confessed and sworne, I never said any thing in this businesse, they did not every one agree unto, and would justifie. This relation send you, rather to informe you of the truth of the matter, that you may know the better how to doe me good : But I should thinke my selfe very unhappy to be made a betrayer of any body : what concerned the Tower or any thing else I never medled withall, nor never spoke with Goring, but that night before them all; and I said nothing but what was consented unto by all my party. I never spoke one word to Suckling, Carnarvan, Davenant, or other creature : me thinkes if my friends and kindred knew the truth and justice of this matter, it were no hard matter to serve me in some measure.



Dei Martis 10. Maii, 1640.

The Examination of Captaine James Chudleigh.

To the first Interrogatory, and to the second.

THis Deponent saith, that about March and Aprill last he was at Burrowbrig, where diverse Officers and Commanders of the Army met, to whom he used some speeches concerning the Parliament, that he saw no probability that the Army would bee suddenly paid by the Parliament, because they had promised so much to the King, and to the Scots, as well as to the Army; but that the King did commiserate their case, and said, that if they would be faithfull to him, he would pawne his Jewels rather than they should be unpaid; and saith further, That he knowes of such a Letter sent by the Army to my Lord of Northumberland to be shewed to the Parliament; and that he told them at their meeting, that the Parliament was much displeased with that Letter, and that those who had subscribed it should be sent for up particularly, that my Lord of Essex, and my Lord of Newport had expressed much dislike of that letter, and of them who had sent it, and said, that they had forfeited their necks : which he had from sir Iohn Suckling, master Davenant, and (as he conceives) from Sergeant Major Willis : And this he declared to those Officers, as giving them an account of his journey, and the service in which they employed him.

To

To the third Interrogatory;

He saith he hath answered before.

To the fourth Interrogatory;

That Serjeant Major Willis told him upon the way, as they were in their Journey downe into the North, that Colonell Goring was a brave Gentleman, and fit to command the Army, and that the King had a good inclination to him that he should be Lievetenant Generall; and saith further, that before he came out of London, Sir Iohn Suckling had likewise highly commended him, and said he was fitter to command in chiefe, then any man hee knew, and that the Army was not now considerable, being without a head, and indeed was but a party (Colonell Goring being away) who commanded a Brigado, and that they did undiscreeetly to shew their teeth except they could bite, which the said Sir Iohn Suckling wished him to declare unto the Army, saying, He could not doe a better service to the Officers who had imploved him, then to let them know it, whereupon he did acquaint them with it accordingly.

To the fifth Interrogatory;

That Sir Iohn Suckling brought him into some roome of the Queenes side at White-hall, where Master Iermyn and he had private conference together and oftentimes looked towards this Deponent: Sir Iohn Suckling afterwards told him, that the King would be well pleased if the Army would receive Colonell Goring to be their Lievetenant Generall, and said that Master Henry Iermyn said so.

To the sixth Interrogatory;

That Master Davenant told him, that things were not here as they were apprehended in the Army, for that the Parliament was so well affected to the Scots, as that there was no likelihood the Army should have satisfaction so soone as they expected it.

To the seventh Interrogatory;

That when he brought the Letter from the Army, he met with Master Davenant who told him it was a matter of greater consequence then hee imagined, and thereupon brought him to master Henry Iermyn, and Master Iermyn told him he heard he brought such a Letter, and asked to see a copy of it, which this Deponent did shew unto him and Master Iermyn asked if he might not shew it to the Queene, and offered to bring this Deponent to her, which hee excused himselfe of, lest hee should have anticipated my Lord Generall from shewing the Letter first himselfe.

To the eighth Interrogatory;

That after hee had brought up that Letter, he staid some 8. or 9. dayes in London, before he returned downe to the Army.

To the ninth Interrogatory;

That Sergeant Major Willis told him most of the Noble Gentlemen in England

land would shew themselves for the Army : And that the French that were about London would receive Commanders from them , to joyn with them : And besides, that there would a thousand horse likewise bee raised to come to their assistance, which horse at last hee confessed were to bee found by the Clergie.

To the tenth Interrogatory ;

That Serjeant Major Willis said moreover, that the Army would bee very well kept together, for that the Prince was to be brought thither, which would confirme their affections : which this Deponent did declare at Burrowbrig unto the Officers, and doth beleieve Willis did the like ; and Willis told them also, that if my Lord of New-Castle was their Generell, he would feast them in Nottinghamshire, and would not use them roughly, but that they should be governed by a Councell of war.

To the 11. Inter.

That both Serjeant Major Willis and this Deponent, did perswade the Officers at that meeting, to write a Letter to Colonell Goring, which was to let him know, that they would heartily embrace him to bee their Lieutenant Generall, if it was His Majesties pleasure to send him downe, which Letter was subscribed by Colonell *Fielding* and Colonell Vavasour, and diverse others ; and was by him brought to London upon Monday, where not finding Colonell Goring, hee delivered it to Sir Iohn Sucklin, who carried it to the King, and afterwards brought him to kisse the King and Queenes hand, and within a day or two returned the Letter to him againe, which Letter this Deponent the Saturday after carried downe himselfe to Colonell Goring to Portsmouth.

To the 12. Inter.

That there was likdwise a Letter written to Master Endimion Porter, assigned by Colonell William Vavasour and Colonell Fielding, which was to this effect, to desire him to informe his Majestie, that the Army was very faithfull to him, and no doubt need bee made by His Majestie concerning their proceedings. This Letter Sir Iohn Sucklin would not have to be delivered, but tooke it himselfe, for that he said Master Porter knew nothing of the Kings intentions.

To the 13. Inter.

That when hee came to Portsmouth, Colonell Goring shewed him the strength of that place, and told him, that if there should bee an mutiny in London, the Queene meant to come downe thither for her safety, and that she had sent him downe money to fortifie it.

To

To the 15 Inter.

That what he learned from Serjeant Major *Willie*, hee got from him by degrees, as he urged it from him by way of discourse; and that *Willie*, Sir *John Suckling*, and Master *Davenant*, did all of them give him great charge to keep things secret, and to be very carefull to whom he communicated any thing, which he accordingly observed; for he dealt with the Officers there severally.

James Chudleigh.

This Examination taken in the presence of Vs,

*Essex.**Warwick.**P. Howard.**W. Noward.**Die Martis 18 Maii.*

The second Examination of Cap. Chudleigh.

To the 31.

THAT at the meeting at *Burrowbrig*, he declared unto the Officers some thing out of a paper, which he read, and told them that he had received it from M. *Iermyn*, and that M. *Iermyn* had received it from the King. And he said likewise, that some others about the King were acquainted with it, and named M. *Endimion Porter*, to whom he thought the King had declared in this business.

To the 34.

That M. *Iermyn* asked him, if hee thought the Army would stick to their Officers, in case the King and Parliament should not agree, or words to that effect.

He saith further, that hee had set down all those things in writing which he declared to the Officers at *Burrowbrig*, and thought to have sent it down to them; but upon better consideration he went himselfe and read it to them out of that paper, but severally, and not to them all together. And particularly, that hee read it to Lieutenant Colonell *Ballard*, and to Lieutenant Colonell *Lunsford*, That he did not acquaint them all with it, and the reason why he did not, was because he conceived some were of more judgement than others, and fitter to be trusted with matters of secrecy.

*James Chudleigh.**Essex.**Warwick.**W. Say and Seale.**Howard.**E**The*

The Examination of *Thomas Ballard*, Lieutenant Colonell to
the Lord *Grandison*, taken *May 18, 1641.*

To the 9.

That he did meet at *Burrowbrige*, being sent to by Captain *Chidley*, and none other; but he found there Serjean Major *Willis* and divers other officers of the Army: this was sometime in *Aprill* last, as he remembreth.

To the 20.

That *M. Chidley* did propound to him certain propositions, which as he affirmed, he did receive from *M. Henry Iermyn*, & from another great man which he might not name. Cap. *Chidley* farther said, that *M. Iermyn* told him that he received those propositions from the King: But *Chidley* told him farther, that when he kissed the Kings hand, his Majesty said nothing to him of any such propositions. The first proposition was that he should not acquaint either Sir *Jacob Ashley*, or Sir *John Conyers*, with any thing of this designe. The 2, that if there were occasion, the Army should remove their Quarters into *Nottingham-shire*, where the Prince and the E. of *Newcastle* should meet them with a 1000 Horse, and all the *French* that were in *London* should be mounted, & likewise meet them. These propositions were read by Captain *Chidley*, out of a paper, which he said he had written himself, thinking to have sent them down but upon better consideration he brought them down himself. That they likewise should desire that Colonell *Goring* should bee the Lieutenant Generall to the Army: There was likewise offered a paper to this effect, as he was then told, That if the King would send Colo. *Goring* to be Lieutenant General, they would accept of him; which Paper he, this Examinat, refused to read, or to set his hand to it: but heard that divers others signed it. He further saith, that there was no other paper propounded to him to be signed, nor to any other to his knowledg. He further saith, that this was not delivered to the Officers in publique, but severally.

He likewise saith, That presently after Colonell *Vavasor* said publike-ly, that he never consented to these propositions in his heart, and desired that there might be a meeting immediatly, whereupon they agreed upon a meeting at *York* the *Wednesday* following, at which meeting they generally concluded, not to interest themselves in any of those designs that had been propounded to them by Captain *Chidley*; and they presently writ by the Post to Captain *Chidley* to *London*, that if he had not delivered the paper, he should forbear to deliver it.

Thomas Ballard.

The

The Examination of Captaine Legg, taken May the 18, 1641.

To the 19 Inter.

HE saith, That he heard of a meeting at *Burrowbridge*, but was not there present, but was present at another meeting at *York* not long after, where he was told that the King was not well satisfied with the affections of the Officers to his service; and therefore it was thought fit, to make a Declaration of their readines to serve his Majesty, which Declaration was accordingly drawn, but not finding any great cause for it, it was after torn. He further saith, That the night before the meeting at *Burrowbridge*, he spake with Captain *Chidley* at *York*, who perswaded him to go to *Burrowbridge*, where he had propositions to impart to the Army; but this Examinee refusing to go, he would not acquaint him with them at that time; but told them that divers Lords and Officers of the Army were fallen off from the King, naming the E. of *Essex*, the Earle of *Newport*, Commissary *Wilmot* Colonell *Ashburnham*, and others, which this Examinee so much disliked, that they forbore any farther discourse.

Will. Legg.

*The Examination of Colonell Varvasour, taken
29 of May, 1641.*

That at the meeting at *Burrowbridge*, Serjeant Major *Willis* and Captaine *Chidley*, or one of them, told the Officers there, that the Parliament had taken great offence at the Letter which they had written up to my Lord of *Northumberland*; and that those who had subscribed it, should be questioned, and that there was small hopes of money from the Parliament for the present.

That the King would take it very well, if he might receive assurance from them, that they would accept of Colonell *Goring* for their Lieutenant Generall, and wished that the Army were united.

When the King had this assurance from them, there should come a Generall that would bring them money, this they said they had good Commission to deliver unto them, having received it from Mr. *Henry Iermyn* and Sir *John Sucklin*, he likewise saith Captaine *Chidley* spake it with more confidence, and Sergeant Major *Willis* rather as having heard it from others: he further saith, there was a Letter written to Colonell *Goring*, for to let him know if the King would send him

down with a Commission to be Lieutenant Generall, they would willingly receive him, and this Letter was proposed unto them by Captain *Chidley* and Serjeant Major *Willis*. There was another Letter written to M. *Endimion Porter*, which as he remembers was to let him know, that though the Army was now commanded by Sir *Jacob Ashley*, yet if that it were His Majesties pleasure to appoint Colonell *Goring* to be Lieutenant Generall, they were confident the Army would receive him the better, being only subscribed by Colonell *Fielding* and himselfe. And further saith that hee heares this Letter was never delivered, for that Sir *John Suckling* told M. *Chidley* that M. *Porter* was a stranger to the businesse.

Colonell *Vavasor*.

This Examination taken afore Vs,

Mandeville.

Howard.

Ph. Wharton.

Charles R.

Colonell *Goring* these are to command you to provide with all speed a ship for this Bearer, to carry him to Diepe or Calais or any other Port of France, that the wind may be good for, and if there be any of my ships or Pinnaces, ready to go forth, you shall command the Captain or Master of such Ship or Pinnace, to receive him and his servants and carry him into France, for which this shall be a Warrant to the Captain or Master you may employ, and hereof you nor they are not to faile, as you or they will answer the contrary at your perils.

Given at *White-Hall*, this 14 of *May*, 1641.

To our Trusty and Well-beloved Servant *George Goring*,
Governor of *Portsmouth*.

The Examination of Captain *William Legg*, taken upon Oath before the Lords Committees upon Saturday the 30 of *October*, 1641.

To the first Inter.

Saith, That he doth know M. *Daniel O Neale* who was Serjeant Major to Sir *John Conniers*, doth not certainly remember the precise time

time going from the Army to *London* nor of his return back, but beleeve he returned about *June* and *July*.

To the ninth.

That he was at *York* when the said Master *O Neale* returned thither from *London*, and can lay no more to this ninth Interrog.

To the tenth.

That there was a Petition prepared to be delivered to the Parliament from the Army, which consisted of many particulars, as to shew how much they suffered for want of Martiall Law, and for want of pay, and because their principall Officers were not amongst them, and they did likewise set forth in it, That as the wisdom of the King did cooperate with the Parliament, So they did hope the Parliament would do something concerning the Kings Revenue; but saith he doth not remember what the particular was, which was desired, and further that they heard of great tumults about *London*, and therefore offered themselves to serve the King and Parliament, with the last drop of their bloods. He saith that this Petition was approved of by all the Officers that saw it, but was laid aside till further consideration should be had of the manner of the delivery, That himselfe was afterwards sent for to *London* by order of the House of Commons, and was examined, and after his examination, when he saw there was no further use to be made of that Petition he burnt it.

He farther saith, That he staid in this Town some 5 or 6 dayes, and was with the King, and had some speech with His Majesty about a Petition to come from the Army, and gave him an accompt of the Petition, that was formerly burnt, and there he received another Petition to the same effect with the other, but handsomlier written, upon which there was a direction indorsed to this purpose; This Petition will not offend, yet let it not be shewn to any but Sir *Iacob Ashley*.

He farther saith there was no name to this direction but only 2 Letters, but what those Letters were, he will not say nor cannot swear who writ those two Letters, because he did not see them written.

He saith he did deliver the same paper with the directions to Sir *Iacob Ashley*, and told him withall here is a paper with a direction, you know the hand, keep it secret, I have shewed it to no body, if there bee no occasion to use it, you may burnt it, and saith he spake no more of it to him, till after my Lord of *Hollands* comming down to bee Generall, and then he spake to him to burn it.

William Legg.

The Examination of Sir Iacob Ashley taken before the Lords Commistees this 29 of October, 1641.

To the first Interrog.

HE saith that he hath known Sergeant Major *Daniel O Neale* very long and that he was long absent from the Army the last Summer, but

but knowes not at what time he did returne, nor knowes not how long it was that he stayed in the Army before his going into the Low-Countries, but thinkes it to be about three weekes,

To the second Interog.

He saith that M O Neale told him after his comming down last, that things being not so well betwixt the King and Parliament, he thought a Petition from the Army might do very much good, and asked him if a draught of such a Petition were brought unto him, whether he would set his hand unto it, the particuiars which he desired to have the Army received in, were the want of Martiall Law, want of pay, & for words spoken in the House of Parliament against the Army, as that the City was disaffected to the Kings Army, and would rather pay the Scots than them.

The the third Inter. He cannot answer.

To the fourth Inter. He canot answer,

To the fifth Inter.

He saith that he received a Letter by the hands of Chaptain Legg, the tenour whereof as farre as remembers was to this effect, the Letter being written in two sides of paper and somewhat more, first that divers things were pressed by parties to infuse into the Parliament things to the Kings disadvantage, and that divers tumults and disorders were neere the Parliament to the disservice of the King, divers other particulars were contained in this Letter, and in the close of this Letter, it was recommended to this Examinat that he should get the hands of the Officers of the Army to such a Declaration to be sent to the Parliament, and that this would be acceptable to the King. He further saith, he knowes not of whose hand writing it was, nor who delivered it to Captaine Legg.

To the seventh Inter.

He saith that M. Oneal telling him of the disliks which were between the King and the Parliament and of those things which were done to the disadvantage of the King, they must fight with the Scots first, and beate them before they could move Southward; and that done, they must spoyle the Country all along as they go, and when they do come to London, they would finde resistance by the Parliament and these Scots might rally and follow them: to which O Neale replied, what if these Scots could be made neutrall: This Examinat then said, that the Scots would lay him by the heels, if he should come to move such a thing, for that they would never breake with the Parliament.

Presently

Presently replied, I wouder that Councils should be so layd as had been spoken of: of the marching of the Army to the South,

8. Inter. D.

He further saies that there was at the end of the Letter a direction to this effect. Captain or *William Legg*, I command you that you shew this Letter to none but *Jacob Ashley*, above this direction were set these two Letters, C.R. *Jacob Ashley*.

The Examination of *Sir John Coniers*, taken upon Oath before the Lords Committees upon Friday the 29. of October 1641.

TO the first interrog. He saith, that he knowes very well Master Daniel O Neale, who was Serjeant Major to his Regiment, that the said O Neal came up to London about November last, and returned to the Army abo. 1. Midsummer.

To the second, That O Neal, after his return to the Army in Summer, spake twice unto this Examinant of a Petition to be sent from the Army to the Parliament, and told him, that because they did not know if himselfe would consent unto it, they would first petition him, that he would approve of it, but that as yet there were but few hands to that Petition, which was to be preferred to him; and therefore would not shew it him.

To the fourth, that the said O Neal, used perswasions to this Examinant, that he would serve the King, that if he did not, he should be left alone, and would but ruine himselfe; for that all the Troopes under him were that way enclined: That therefore he should adhere to the King, and go those wayes that the King would have him; or words to that effect.

To the fifth, that he saw a paper, containing some directions for a Declaration to be subscribed unto by the Officers, of the Army: which paper was in Sir Jacob Ashleys hand; he saith, it was long, containing two sides of a sheet of paper or thereabout: the effect whereof was something concerning Martiall Law, and better payment for the Army, together with some other particulars; that it was to be directed to the Parliament, and that there were two Letters, viz. C.R. at the end. That he doth not know who brought it unto Sir Jacob Ashly, but that both of them were very much troubled at it. He saith further, that there was a direction at the end of the writing, that no body should see it but Sir Jacob Ashley; and the two Letters, C.R. were as he remembers to that direction but whether before or after that direction hee cannot affirme.

To the seventh, that he never heard Master O Neal himselfe spake of his going to Newcastle, but that he heard it from others, and as hee takes

takes it from his wife the Lady Coniers, and that who/soever it was that sold him so, told him withall, that O Neale him/elfe said so. *Io. Coniers*

The second examination of Sir *John Conyers*, taken before the Lords Committees upon *Saturday* the 30 of *October*.

TO the fourth inter. That Master *O Neale* said to him, that if he this Examinant, had been well knowne to the King, the King would have written to him, & therefore he conceived, this Examinant should do well to write unto the King : to which he replied, that he could not serve the King in that poynt, and therefore he thought, it would be of no use, to trouble the King with his letters.

To the fifth, That the paper mentioned in his former examination to have been seen by him in *S. Iacob Ashleys* hand, containing directions for a Petition to be presented to the King and Parliament : In which, was a clause to this effect, That whereas all men ought to give God thanks for putting it into the Kings heart, to condescend to the desires of the Parliament, not only to deliver up unto them many of his servants and others, who were neer unto him to be at their disposing, but also to do many things, which none of his Ancestors would have consented unto, as giving way to the Triennuall Parliament, and granting many other things for the good of his Subjects, yet notwithstanding some turbulent spirits, backt by rude and tumultuous mechanick persons, seemed not to be satisfied, but would have the totall subversion of the government of the State, that therefore the Army, which was so orderly governed, notwithstanding they had no martiall Law, and ill payment, & but few Officers, being of so good comportment, might be called up to attend the person of the King and Parliament for their security. This Examinant further saith, that there was many other passages in this Petition which he doth not now remember, only that there was some expression of a desire, that both Armies should be disbanded for the ease of the Kingdome ; and likewise a direction to procure as many of the Officers hands, as could be gotten.

To the seventh, that he remembers wel it was not his wife, but Sir *Iacob Ashley*, that said to him those words, *O Neale* goes, or else *O Neale* saith he will go to *Newcastle* ; but which of the sayings it was, he doth not well remember ; but saith he replied to it, that *O Neale* said, nothing to him of that.

This Examinant further saith, that he took occasion upon these passages from *O Neale*, to command him and *S. John Bartlet* and all the other officers to repaire to their quarters, to be ready to perfect their accounts with the Country against the time they should be called for. *Io. Coniers.*

The

*The Examination of Sir Foulke Huncks, taken before the Lords
Committees upon Friday, Octob. 29. 1641.*

TO the first Interrog. he saith, that he doth well know Master Daniel O-Neale, who was Serjeant Major to Sir John Coniers; That he went from the Army to London about the time that the King came out of the North to the Parliament; and that he returned again to the Army about that time when Commissary *Wilmot* and the other Souldiers were committed by the Parliament.

To the second. That the said O-Neale perswaded him this Examinant to take part with the King, or something to that purpose; and that thereupon this Examinant acquainted the Lievtenant generall with it, and presently repaired to his owne Quarter, to keep the Souldiers in order; where he staid not above two or three dayes, till he heard that O-neale was fled. He further saith, that O-Neale dealt with him to have the troops move; To which he replied, that he had received no such direction from his Superiours, nor from the King: And that then he offered him a paper, and pressed him to signe it; whereupon he this Examinant asked, if the Generall, or Lievtenant Generall had signed it; to which O-Neale answering they had not, he said that he would not be so unmannerly as to signe any thing before them, and refused to read it. He saith likewise that Captaine *Armstrong* was present at the same time, and that O-Neale offered it to him; who looking upon this Examinant, this Examinant did shake his head at him, to make a signe that he should not doe it, and withall went out of the roome; and *Armstrong* afterwards refused it, giving this reason, That he would not signe it when his Colonell had refused it; which he told this Examinant.

To the third he saith, That O-Neale told him he had very good authority for what he did; but did not tell him from whom.

To the fourth. That Master O-Neale told him he was to goe to the Scottish Army, but saith he doth not know for what end and purpose he would goe thither; for that he this Examinant shunned to have any thing more to doe with him.

Foulke Huncks.

*The Examination of Sir William Balfour Lievtenant of the
Tower, taken the second of June.*

TO the first Interrog. he saith, he was commanded to receive Captain *Billingsley* into the Tower with 100. men for securing of the place, and that he was told they should be under his command.

To the second Interrog. he saith; The Earle of Strafford told him it would be dangerous in case he should refuse to let them in.

To the third Interrog. He referreth himself to the former depositions of the three women, taken before the Constable and himself. And further saith, that the Earle of Strafford himself, after he had expostulated with him for holding Master *Slingsby* at the Tower gate; and after his telling the said Earle he had reason so to doe, in regard of what the woman had deposed, by which it appeared there was an escape intended by his Lordship; himselfe acknowledged hee had named the word *Escape* twice or thrice in his discourse with Master *Slingsby*, but that he meant it should be by the Kings authority, to remove him out of the Tower to some other Castle; and that he did ask Master *Slingsby* where his brother was, and the ship.

To the fourth Interrog. This Examinant saith, the Earle of Strafford sent for him some three or four dayes before his death, and did strive to persuade him that he might make an escape; and said, for without your connivence I know it cannot be: and if you will consent thereunto, I will make you to have 20000. pound: paid you, besides a good marriage for your sonne: To which this Examinant replied, he was so farre from concurring with his Lordship, as that his honour would not suffer him to connive at his escape; and withall told him, hee was not to be moved to hearken thereunto.

Ex. in presence of us

Essex.

Warwick.

L. Wharton.

Manderick.

James Wadsworth lies at the halfe Moone in Queens-street,
at Cockets house a Joyner divers Officers lie,
which is the next doore.

Coll. Lindsey.

Capt. Kirk.

James Wadsworth.

Die Martis 4. Maii, 1641.

HE saith that one Ancient *Knot* told him severall times the last week that Sir *Iohn Suckling* was raising of Officers for three Regiments for Portugall: and saith that hee this Examinant was at the Portugall Ambassadors on Sunday last, and then the Ambassadors told him that he knew not Sir *Iohn Suckling*, nor any thing at all of Sir *Iohn Suckling*: raising of men for Portugall; and the Ambassadors himself had no Commission to treat for any men till he heard out of Portugall.

Tuesday

Tuesday the 11. of May, 1641.

The Examination of *John Lanyon.*

HE was upon Easter Eve last, and severall times since, troubled by Captain *Billingsley* to enter into an expedition for *Portugall* with Sir *John Suckling*. And when this Examinant told him that he was His Majesties servant, and could not goe without leave, Captain *Billingsley* bid him take no care for that, he should have leave procured, and further desired him to get as many Canoneers as he could.

This Examinant doubting whether they were reall in that Designe, repaired to the Portugall Ambassadors, and there understood from his Secretary, that he was willing to have men, but they knew neither Sir *John Suckling*, nor Captain *Billingsley*; neither had they from them any Commission to raise men.

He likewise saith, that Captain *Billingsley* did after sollicite this Examinant to come to Sir *John Suckling*, and that upon Sunday was sen- nighlast Sir *John Suckling* and Captain *Billingsley*, with many other Officers, repaired unto his house in the afternoone, and there staid two hours at least; The Examinant not coming in, they left a note he should be with them that night at the Sparragus Garden at Supper: whereof this Examinant failing, Captain *Billingsley* comes againe to his house the Monday morning, and not finding him there, left word that he must needs come to the Covent Garden to Sir *John Sucklings* lodging, which accordingly he did; but not finding him there, the same day he was with Captain *Billingsley* at the Dog Tavern in Westminster, at which time he did farther appoint this Examinant upon Wednesday to promise Sir *John Suckling* a meeting at the Dolphin in Grays Inn lane about nine of the clock in the forenoon, where the same day came some thirty more which were appointed by Sir *John Suckling* and Captain *Billingsley*; but neither Sir *John Suckling* or *Billingsley* came, only there came one and gave them money, and so dismiss them for the present.

This Examinant further saith, that Captain *Billingsley* having notice that he had some store of Armes of his owne, told him, Sir *John Suckling* would buy them all, if he pleased to sell them.

Captaine *Billingsley* likewise told this Examinant, that Sir *John Suckling* had furnished himselfe for money, and all the Company.

John Lanyon.

Quarta die Maii, 1641.

E*lizabeth Nutt*, wife of *William Nutt* of Tower-street London, Merchant, and *Anne Bardsey* of Tower-street aforesaid widow, say, that they being desirous to see the Earle of *Strafford*, came to *Anne Vyner* wife of *Thomas Vyner* Clerk to the Lieutenent of the Tower, whose lodging being neare to the Kings Gallery, where the said Earle useth to walke, carried them to a back doore of the said Gallery, the said Earle with one other being then walking. And they three being then there, and peeping through the key hole and other places of the doore to see the said Earle, did hear him and the said other party conferring about an escape, as they conceived, saying, that it must be done when all was still, and asked the said party where his Brothers ship was, who said she was gone below in the River, and heard him say, that they three might be there in twelve hours, and doubted not to escape if something which was said concerning the Lieutenent of the Tower, were done; but what that was, as also, where they might be in twelve houres, they could not heare by reason that when they walked further off, they could not perfectly heare. And the said *Ms Nutt* and *Ms Bardsey* say, that they heard the said Earle then say, that if this Fort could be safely guarded or secured for three or foure months, there would come aid enough: and diverse other words tending to the purposes aforesaid, which they cannot now remember.

And further all of them say that they heard the said Earle three times mention an escape, saying, that if any thing had been done, his Majesty might safely have sent for him; but now there was nothing to be thought on but an escape: And heard the said other party telling his Lordship, that the outward gates were now as surely guarded as those within. To whom the said Earle said, the easier our escape that way; pointing to the East, if the said party and some others should obey the directions of the said Earle: But what those were they know not, but heard the said party answer, they would doe any thing his Lordship should command.

*Anne Vyner,**Anne Bardsey.*

Signum;

Eliza. E. N. Nutt.

The

The Superfcription of the Letter.
 For my worthy Friend Sir Lewis Dyves Knight, at the Earle
 of Brisfols house in Queen-street.

London,

Deare Brother,

I Hope you will have received the Letter which I wrote unto you from
 aboard Sir Iohn Pennington, wherein I gave you account of the sedi-
 dent of O Neals man; and why I thought fitting to continue my journey
 into Holland; going still upon this ground, that if things got on by way
 of accommodation, by my absence the King will be advantaged: If the
 King declare himself, and retire to a safe place, I shall be able to wait upon
 him from hence, as well as out of any part of England, over and above the
 service which I may do him here in the meane time. Besides that, I found
 all the Ports so strict, that if I had not taken this opportunity of Sir Iohn
 Penningtons forwardnesse in the Kings service, it would have been impos-
 sible for me to have gotten away at any other time.

I am now here at Middleborough, at the Golden Fleece upon the Mar-
 ket, at one George Petersens house, where I will remaine till I receive
 from you advertisement of the state of things, and likewise instructions
 from their Majesties; which I desire you to hasten unto me by some safe
 hand: and withall to send unto me a cypher, whereby we may write un-
 to one another freely. If you knew how easie a passage it were, you would
 offer the King to come over for some few dayes your selfe. God knowes
 I have not a thought towards my Countrey to make me blush, much
 lesse criminall; but where Traytors have so great a sway, the honestest
 thoughts may prove most treasonable.

Let Dick Sherley be dispatcht hither speedily, with such black cloaths
 and linnen as I have: and let your letters be directed to the Baron of
 Sherborn, for by that name I live unknown. Let care be taken for Bills of
 Exchange.

Middleborough,

Yours

Jan. 20. 1641.

The examination of Owen Connelly, Gent. taken before
 us whose names ensue, the 22. of October,

1641.

W^ho being duly sworn and examined, saith, That he being at
 Monmore in the County of London Derry on Tuesday last,

he received a letter from Colonel *Hugh O'Connell*, desiring him to come to Connagh in the County of Monaghan, and to be with him on Wednesday or Thursday last. Whereupon he this Examinant came to Connagh on Wednesday night last, and finding the said *Hugh* come to Dublin, followed him hither: He came hither about six of the clock this Evening, and forthwith went to the lodging of the said *Hugh*, to the house neere the Boor in Oxmantowne, and there he found the said *Hugh*, and came with the said *Hugh* into the towne, neere the Pillory, to the lodging of the Lord *Mac-quire*; where they found not the Lord within: and there they dranke a cup of Beere, and then went back againe to the said *Hugh* his lodging. He saith that at the Lord *Mac-quire* his lodging the said *Hugh* told him that there were and would be this night great numbers of Noblemen and Gentlemen of the Irish Papists, from all the parts of the Kingdome, in this Towne, who with himselfe had determined to take the Castle of Dublin, and possesse themselves of all his Majesties Ammunition there; and to morrow morning being Saturday: and that they intended first to batter the Chimneyes of the said Towne, and if the City would not yeeld, then to batter down the houses, and so to cut off all the Protestants that would not joyn with them.

He saith further, That the said *Hugh* then told him, that the Irish had prepared men in all parts of the Kingdome, to destroy all the English inhabiting there to morrow morning by ten of the clock; and that in all the Sea-ports, and other Townes in the Kingdome, all the Protestants should be killed this night; and that all the Ports that could be, could not prevent it. And further saith, That he moved the said *Hugh* to forbear the executing of that business, and to discover it to the State for the saving of his owne estate; who said, that he could not help it: But said, that they did owe their due allegiance to the King, and would pay him all his rights, but that they did this for the tyrannicall Government was over them; and to imitate Scotland, who got a priviledge by that course. And he further saith, That when he was with the said *Hugh* in his lodging the second time, the said *Hugh* swore that he should not goe out of his lodging that night, but told him that he should goe with him the next morning to the Castle, and said, if this matter were discovered, some body should die for it: Whereupon this Examinant feigned some necessity for his easement, went down out of the Chamber, and left his sword in pawn, and the said *Hugh* sent his man down with him: And when this Examinant came down into the yard, finding an opportunitie, he this Examinant

nant leaped over a wall and two pales, and so came to the Lord Justice Parsons.

October 22

Owen O'Connell.

1641.

William Parsons.

Tho. Rotherham.

Rob. Meredith.

The Examination of *Mark Pagett* Parson of *Morlestowne*, neer *Kingsale* in *Ireland*, and Deane of *Rosse* there, had and taken at *Plimmouth*, in the County of *Devon*: before *Thomas Ceely* Merchant, Major of the Burrough of *Plimmouth* aforesaid, *William Birch*, and *Jo. Bound*, Merchants, three of his Majesties Justices of the Peace, within the said Burrough, the fourth day of *March*, 1641.

The said Examinant saith, that he came from *Kingsale* this day was seven-night, and saith, that the Rebellion in *Ireland* is generall; (except the Port Townes and Fortifications) and saith, that he conceiveth that the Forces of the Rebels in *Munster* is between twenty or thirty thousand, which lie neer *Cork* and *Bandon* bridge in two bodies; whereof the chiefe of one is *Baron Loughland*, the Lord *Mungarret*, the Lord *Dunboine*, and divers other Lords: and the chiefe of the other are *Macarte Reath*, *Teage Adowne*, *Teage Adun van Durmet*, *Glacke*, and *Macke Phennig*, and divers others. And this Examinant hath for certaine heard, that the Earle of *Clanrikard* is likewise in Armes in *Connough* against the English Protestants; and further saith, that he knoweth that the Rebels have very good intelligence out of *England*, of all passages here, and for the most part speedier then the English have there: and further saith, that they threaten that as soone as they have rooted out the British and English there, to invade *England*, and assist the Papists in *England*. And further saith, that they have the Popes Legate amongst them (as they report) who sits constantly in counsell with *Sir Philome O Neale* (who waites himselfe now *Prince O Neale* from his Palace *Charlemount*;) the Lord *Maggenny* and divers others, who directed and advised the rest of the Rebels. And farther saith, That the *Irish* Rebels doe report that they have the Kings Warrant and Great Seale for what they doe, and say they are his Majesties true Subjects; and that the *English* Protestants are Rebels and not they. And further saith, that the Rebels do generally report that there are three factions in *England*, whereof one is the Kings; which consists for the most part of Courtiers and Bishops, with some few Lords & Gentry. Another the Puritans, which is supported by the House of Commons, some Lords, and the Corporations and Cities in *England*. And the third is

the Queenes, which they say is the greatest; and consists of the Catholiques, some Lords, all the Priests and Iesuites, besides the expectation they have of forraigne forces: And further saith, that they report that the Queenes faction will see such a division between the two others, that it will root out both of them at last. And farther saith, that the said *Irish* do brag that the Queenes faction hath the command of most of the Forts and Forces of *England*. And this Examinant farther saith, that he knoweth this to be usually reported amongst them, for that he hath lived in *Ireland* these two & thirty yeeres, and been incumbent of the said Church eightene yeeres, and hath heard divers of the *Irish* Papists of the better sort to affirm so much, which doth much hearten the Rebels, & dishearten the *English*: And farther saith, that the Rebels have taken the Iron-works at *Glannorret*, and great quantities of Iron; and there, and else-where cast Ordinance, make Muskets, heads for Pikes, Skeanes, and other weapons; And farther saith, that the greatest part of the nine thousand *Irish* Soldiers which the Earle of *Strafford* had at *Knockfergus* in *Ireland*, and there exercised and trained a long time, are the most expert Commanders, Leaders, and Officers amongst the Rebels.

Thomas Ceeley Maior.

Madam,

I Shall not adventure to write unto your Majestie with freedome, but by expresses, or till such time as I have a cypher, which I beseech your Majestie to vouchsafe me. At this time therefore I shall only let your Majestie know where the humblest and most faithfull servant you have in the world is; Here at *Middleborough* where I shall remaine in the privatest way I can, till I receive instructions how to serve the King and your Majestie in these parts. If the King betake himselfe to a safe place, where he may avow and protect his servants from rage (I meane) and violence, for from Iustice I will never implore it, I shall then live in impatience and in misery, till I wait upon you. But if after all he hath done of late, he shall betake himselfe to the easiest and compliantest wayes of accommodation: I am confident, that then I shall serve him more by my absence then by all my industry, and it will be a comfort to me in all calamities, if I cannot serve you by my actions, that I may doe it in some kind by my sufferings for your sake; having (I protest to God) no measure of happiness or misfortune in this world, but what I derive from your Maesties value of my affection and fidelity.

Middleborough the 31. of

January, 1641.

FINIS.

